

REMARKS/ARGUMENTS

In the above-mentioned Office Action, claims 1-28 were rejected as being unpatentable over various claims in U.S. Patent No. 6,406,604 (Guzman) under the doctrine of obviousness-type double patenting; claims 1, 3, 11 and 12 were rejected as being anticipated by the publication "Miniaturised on-line solid-phase extraction for enhancement of concentration sensitivity in capillary electrophoresis" (Petersson, et al.); claims 1-7, 11, 15-21 and 25 were rejected as being anticipated by U.S. Patent No. 5,944,971 (Foote); claims 1, 3 and 11 were rejected as being anticipated by international application WO 95/10344 (Gjerde, et al.); claims 1, 15 and 24 were rejected as being anticipated by U.S. Reissue Patent No. RE 36,350 (Swedberg, et al.); claim 10 was rejected as being unpatentable over Petersson, et al. in view of U.S. Patent No. 5,800,697 (Naylor, et al.), claim 10 was rejected as being unpatentable over Gjerde, et al. in view of Naylor, et al.; claims 16 and 28 were rejected as being unpatentable over Swedberg, et al.; claim 26 was rejected as being unpatentable over Swedberg, et al. in view of Naylor, et al.; and claim 11 was objected to due to an informality.

In response to this Office Action, claims 1-28 are cancelled without prejudice or disclaimer, and claims 29-35 are added.

These new claims are patentable, Applicant respectfully contends, as the following elements as set forth in the claims are not taught by the prior art:

Claim 29 – "analyte concentrator in the capillary overlapping portion";

Claim 30 – "analyte concentrator means in . . . [cruciform-configured] intersection;

Claim 31 – first and second separation conduit means;

Claim 32 – separation capillary and affinity means;

Claim 33 – first and second separation capillary means;

Claim 34 – first and second analyte concentrators; and

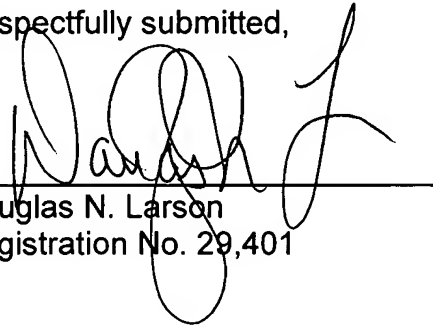
Claim 35 – overlapping conduit portion and analyte concentrator.

Accordingly, it is respectfully contended that all of the claims now pending are patentable.

As the Examiner and the undersigned Counsel for Applicant recently discussed, Counsel and Applicant plan to travel to the Patent Office in about a month to conduct a personal interview with the Examiner to discuss these new claims. Applicant will then follow up with a Supplemental Amendment, following that interview and in view thereof.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1853. Should such additional fees be associated with an extension of time, Applicant respectfully requests that this paper be considered a petition therefor.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Douglas N. Larson', is written over a horizontal line. The signature is stylized with large loops and a long trailing stroke.

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